

Rule 4-202.08. Fees for records, information, and services.

Intent:

To establish uniform fees for requests for records, information, and services.

Applicability:

This rule applies to all courts of record and not of record and to the Administrative Office of the Courts.

Statement of the Rule:

(1) Fees payable. Fees are payable to the court or office that provides the record, information, or service at the time the record, information, or service is provided. The initial and monthly subscription fee for public on-line services is due in advance. The connect-time fee is due upon receipt of an invoice. If a public on-line services account is more than 60 days overdue, the subscription may be terminated. If a subscription is terminated for nonpayment, the subscription will be reinstated only upon payment of past due amounts and a reconnect fee equal to the subscription fee.

(2) Use of fees. Fees received are credited to the court or office providing the record, information, or service in the account from which expenditures were made. Fees for public on-line services are credited to the Administrative Office of the Courts to improve data quality control, information services, and information technology.

(3) Copies. Copies are made of court records only. The term "copies" includes the original production. Fees for copies are based on the number of record sources to be copied and are as follows:

(3)(A) paper except as provided in (H): \$.25 per sheet;

(3)(B) microfiche: \$1.00 per card;

(3)(C) audio tape: \$10.00 per tape;

(3)(D) video tape: \$15.00 per tape;

(3)(E) floppy disk or compact disk other than of court hearings: \$10.00 per disk;

(3)(F) electronic copy of court reporter stenographic text: \$25.00 for each one-half day of testimony or part thereof;

(3)(G) electronic copy of audio record or video record of court proceeding: \$10.00 for each one-half day of testimony or part thereof; and

(3)(H) pre-printed forms and associated information: an amount for each packet established by the state court administrator.

(4) Mailing. The fee for mailing is the actual cost. The fee for mailing shall include necessary transmittal between courts or offices for which a public or private carrier is used.

(5) Personnel time. There is no fee for personnel time to copy the record of a court proceeding. There is no fee for the first 15 minutes of personnel time. The fee for time beyond the first 15 minutes is charged in 15 minute increments for any part thereof. The fee for personnel time is charged at the following rates for the least expensive group capable of providing the record, information, or service:

(5)(A) clerical assistant: \$15.00 per hour;

(5)(B) technician: \$22.00 per hour;

(5)(C) senior clerical: \$21.00 per hour

(5)(D) programmer/analyst: \$32.00 per hour;

(5)(E) manager: \$37.00 per hour; and

(5)(F) consultant: actual cost as billed by the consultant.

(6) Public on-line services. The fee for public on-line services shall be as follows:

(6)(A) a set-up fee of \$25.00;

(6)(B) a subscription fee of \$30.00 per month for any portion of a calendar month; and

(6)(C) ~~\$.10 per minute of connect time greater than 120 minutes during a billing cycle~~ \$.20 for each search over 200 during a billing cycle. A search is counted each time the search button is clicked.

(7) No interference. Records, information, and services shall be provided at a time and in a manner that does not interfere with the regular business of the courts. The Administrative Office of the Courts may disconnect a user of public on-line services whose use interferes with computer performance or access by other users. The Administrative Office of the Courts may establish reasonable time limits per access call to promote access by a variety of users.

(8) Waiver of fees.

(8)(A) Fees established by this rule shall be waived for:

(8)(A)(i) any government entity required by law to obtain court records; or

(8)(A)(ii) any person who is the subject of the record and who is impecunious.

(8)(B) Fees established by this rule may be waived for a student engaged in research for an academic purpose.

(8)(C) Fees established by this rule may be waived for a governmental entity if the fee is minimal.